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North Carolina Department of Environment and Natural Resources

Dexter R. Mathews, Director

Michael F. Easley, Governor
William G. Ross Jr., Secretary

Asheville Regional Office
Division of Waste Management
Solid Waste Section

February 5, 2008

Jerry Mears -- Solid Waste Manager
Buncombe County Solid Waste Management Facility
85 Panther Branch Rd.
Alexander, NC 28701

Re: **Alternative Cover Material (ACM) Demonstration Authorization Letter
Buncombe County Solid Waste Management Facility
Permit No. 11-07**

Dear Mr. Mears,

This letter is in response to Kenton J. Yang's (Camp Dresser & McKee) letter of November 30, 2007 requesting approval to demonstrate the capability of an Alternative Cover Materials (ACMs) at the above referenced landfill. While you have requested approval of three ACM Demonstration Projects (*Posi-Shell*, *Tarps*, and a mixture of 30% mulch (maximum) with on-site soil borrow), the letter will conditionally approve the proposed *Posi-Shell* and *Tarp* Demonstration Projects as described in your letter dated November 11, 2007.

Authorization of the *Posi-Shell*, and *Tarps* ACMs is granted, with the following three additional conditions:

- In addition to the log sheet, photographs should be take to document the effectiveness of the *Posi-Shell* and *Tarp* ACMs throughout the demonstration projects;
- Routine maintenance shall be done on all equipment that will be used to prepare, apply, and maintain the *Posi-Shell* and *Tarp* ACMs; and
- Staff shall be trained as needed to properly apply and maintain the *Posi-Shell* and *Tarp* ACMs.

This authorization Letter conditionally approves the *Posi-Shell* and *Tarp* Demonstration projects for a period of one hundred and twenty (120) days. This period of time provides the operator with ninety (90) days of time to perform each Demonstration Project, and thirty (30) days to compile and submit a certified Demonstration Report, or a letter of Closure, to the Solid Waste Section. The demonstration period will expire on June 8, 2008.

The ACMs must comply with 15A NCAC 13B .1626(2)(b) which requires the Operator to demonstrate that the ACMs will control disease vectors, fires, odor, blowing litter, and scavenging without presenting a threat to human health and the environment. Either ACM shall not be used more that five consecutive days without placing soil over the previously filled areas and shall cover all of the exposed waste each time it is used.

The demonstration period does not allow for or give exemption to the requirements for Daily Cover. If the use of the product is not sufficient for daily cover, it should not be used. It is the operators' responsibility to ensure an adequate cover is being provided. The continued use of the product should not continue if it does not appear to be adequately covering the waste.

After ninety (90) days of using the conditionally approved ACMs, the facility operator, within thirty (30) days may then either:

- (1) provide a certified Demonstration Report demonstrating the feasibility to request approval for the use of the each ACM on a full-time basis, or
- (2) cease use of the ACMs, properly dispose of any remaining ACM, and provide a Closure Letter detailing the findings of the use of the material during the approval period and what actions were taken to dispose of the material.

The certified Demonstration Project report must be signed by the operator and certified by a professional engineer licensed in North Carolina. The report would include documentation addressing the performance and effectiveness of the material, the number of times each ACM was used, the quantities of the ACMs, and other supportive information, including photographs.

Following satisfactory demonstration of each ACM, and application (that includes the Certified Demonstration Report and the revised Facility Operations Plan), the Solid Waste Section may issue a modified permit for the facility that includes the ACM operations.

Please note that the continuation of the use of each ACM is performance based. Should the application of the ACMs become impracticable or contribute to conditions hazardous to public health, safety or the environment, the operator is responsible for immediately terminating the ACM use and applying compacted earthen material cover in accordance with the Solid Waste Rules. Impracticable conditions are conditions that make the placement an ACM difficult due to adverse climate such as rain, wind, or frozen precipitation, or other conditions that adversely affects the ability of an ACM to meet the Performance Standards. The operator must maintain a ready stockpile of earthen material cover material and the equipment necessary to apply the earthen material cover to respond to an adverse situation. Therefore, approval of the continued use of an ACM may be revoked at any point in time by the Division.

If you have any questions, please call me at (828) 296-4705 at the Asheville Regional Office.

Sincerely,



Bill Wagner
Environmental Senior Specialist
Solid Waste Section

cc: Kenton J. Yang, P.E., Camp Dresser & McKee, 5400 Glenwood Ave., Suite 300, Raleigh, NC 27612
Deb Aja, NCDENR, Western District Supervisor
Larry Frost, NCDENR, Environmental Engineer